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8 *Casualty Company, erroneously sued as*
State Farm Mutual Automobile Insurance
Company

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 DERWIN EVANS, individually,
13 Plaintiff,

14 v.

15 STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, a foreign
corporation; DOES I-X, inclusive; and ROE
16 CORPORATIONS I-X, inclusive,

17 Defendants.
18

CASE NO.: 2:22-cv-00448-ART-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[SECOND REQUEST]

19 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
20 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
21 by ninety (90) days, up to and including Tuesday, July 18, 2023. In addition, the parties request
22 that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be
23 extended pursuant to the Local Rules. In support of this Stipulation and Request, the parties state
24 as follows:

25 **DISCOVERY COMPLETED**

- 26 1. On February 3, 2022, Plaintiff filed her Complaint.
27 2. On March 17, 2022, Defendant removed the case to the U.S. District Court.
28 3. On March 18, 2022, Defendant filed its Answer to Plaintiff's Complaint.

4. On April 14, 2022, the parties conducted an initial FRCP 26(f) conference.
5. On April 28, 2022, Plaintiff served his FRCP 26 Initial Disclosures.
6. On May 10, 2022, Defendant served its FRCP 26 Initial Disclosures.
7. On May 13, 2022, Defendant served written discovery on Plaintiff. Plaintiff served his written discovery responses on June 15, 2022.
8. On August 23, 2022, Plaintiff served his First Supplement to his FRCP 26 Disclosures.
9. On September 14, 2022, Plaintiff served written discovery on Defendant State Farm. State Farm's served its responses on November 16, 2022.
10. On November 18, 2022, Plaintiff served his Second Supplement to his FRCP 26 Disclosures.
11. The deposition of State Farm Representative Charles Sutherland is scheduled on February 22, 2023.
12. The deposition of State Farm Representative John Hall is scheduled on February 23, 2023.

DISCOVERY REMAINING

1. The parties will continue participating in written discovery.
2. Defendant will continue to collect Plaintiff's medical records.
4. Defendant will depose Plaintiff in late February or Early March.
5. Plaintiff will depose State Farm's representatives in February.
6. Plaintiff will depose Defendant's FRCP 30(b)(6) witness(es).
7. The parties may depose any and all other witnesses ascertained through discovery, such as potentially including Plaintiff's medical treatment providers and claims adjusters.
8. The parties will designate expert witnesses and may conduct depositions of those expert witnesses.

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4862-5379-0029.1

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing sufficient time to conduct discovery.

The parties have been co-operative and diligent in moving the case forward: participating in a reasonable amount of discovery, including exchanging their initial lists of witnesses and documents; propounding written discovery requests and preparing written responses thereto; and co-operating with records procurement and disclosures. Next, the parties will also proceed with the deposition of Plaintiff, treating provider depositions and the depositions of State Farm Representatives, as well as expert discovery.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3. This stipulation is made more than 21 days before the expiration of any deadlines.

This is the second request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Wednesday, April 19, 2023</i>	<i>Tuesday, July 18, 2023</i>
Deadline to Amend Pleadings or Add Parties	<i>Friday, October 21, 2022</i>	<i>Closed</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Friday, February 17, 2023</i>	<i>Thursday, May 18, 2023</i>

Scheduled Event	Current Deadline	Proposed Deadline
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	Tuesday, March 21, 2023	Monday, June 19, 2023
Dispositive Motions	Monday, May 22, 2023	Monday, August 21, 2023
Joint Pretrial Order	Tuesday, June 20, 2023	Monday, September 18, 2023 If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.

WHEREFORE, the parties respectfully request that this Court extend the discovery period by ninety (90) days from the current deadline of April 19, 2023, up to and including July 18, 2023, and the other dates as outlined in accordance with the table above.

DATED this 25th day of January, 2023.

LEWIS BRISBOIS BISGAARD &
SMITH LLP

/s/ Jennifer A. Taylor

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Attorneys for Defendant State Farm Fire

and Casualty Company, erroneously

sued as State Farm Mutual Automobile

Insurance Company

DATED this 25th day of January, 2023.

THE POWELL LAW FIRM

/s/ Traysen Turner

PAUL D. POWELL, ESQ.

Nevada Bar No. 7488

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Las Vegas, NV 89148

Attorneys for Plaintiff

Derwin Evans

ORDER

IT IS SO ORDERED

DATED: 12:59 pm, January 26, 2023

BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE

Versoza, Jeannette

From: Traysen Turner <tturner@tplf.com>
Sent: Wednesday, January 25, 2023 12:04 PM
To: Taylor, Jennifer; Freeman, Kristen; Tiffany Plumer; Paul Powell
Cc: Versoza, Jeannette
Subject: [EXT] RE: Evans v. State Farm Fire & Casualty Company - SAO to Extend Discovery Schedule



Hi Jennifer,

You may attach my e-signature.

Thanks,

Traysen

From: Taylor, Jennifer <Jennifer.A.Taylor@lewisbrisbois.com>
Sent: Wednesday, January 25, 2023 11:50 AM
To: Traysen Turner <tturner@tplf.com>; Freeman, Kristen <Kristen.Freeman@lewisbrisbois.com>; Tiffany Plumer <tplumer@tplf.com>; Paul Powell <paul@tplf.com>
Cc: Versoza, Jeannette <Jeannette.Versoza@lewisbrisbois.com>
Subject: RE: Evans v. State Farm Fire & Casualty Company - SAO to Extend Discovery Schedule

Hi Traysen –

Attached please find a SAO to move the discovery dates out to give both parties more time to complete discovery.

Please let me know if you have any edits, changes or questions. Otherwise, please respond with your authority to affix your e-signature.

Kind regards,

Jennifer



Jennifer Taylor
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